

REMARKS

Reconsideration of this patent application is respectfully requested in view of the foregoing amendments, and the following remarks.

On Page 2 of the Office Action, the Patent Examiner has objected to the drawings as failing to comply with 37 CFR 1.83(a) because they do not show every feature of the invention specified in the claims.

In response to these formal objections and rejections, it is noted that the involved claims are claims 1, 4, 13, and 14. Rather than amending the drawings to show these features, instead the mentioned structural features are being amended and/or cancelled from these claims, as set forth on Page 2 of the Office Action.

For these reasons, claim 1 has been amended to cancel these structural features:

"the car body" and "a closed door."

In claim 1, "housing (12)" is shown in the drawings.

Thus, claim 4 has been amended to cancel these structural features:

"the bearing chamber."

Hence, claim 13 has been amended to cancel these structural features:

"parts that have been molded on."

In claim 13, "the door" (10), "the bearing lever" (9), and "the locking element" (13) are shown in the drawings.

Thus, claim 14 has been amended to cancel these structural features:

"open position of the door."

Also, the claims have been amended to overcome the claims objections and rejections as set forth on Pages 3, 4, and 5 of

the Office Action.

For all these reasons, no amendments to the drawings are required. Withdrawal of this objection under Rule 83(a) is respectfully requested.

Claims 1, 6, 10 and 11 were objected to because of the following informalities:

In claim 1, line 6, "a rear wall" was amended to "the rear wall." In line 11, the period after "(28)" was deleted. In line 22, a comma was deleted.

In claim 6, line 2, "at least" was deleted. In line 3, "(26)" was replaced by "(28)."

In claim 10, line 3, "device" was deleted and replaced with "element (12) in said housing (13)." In line 4, "and" was inserted before "the bearing pin."

In claim 11, line 4, "device" was deleted and replaced with "the housing (12)" and "the locking element (13)."

Claim 9 was objected to under 37 C.F.R. 1.75(c) of being an improper dependent form for failing to further limit the subject matter of the previous claim. Claim 9 has been cancelled.

Claims 1-15 were rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention.

Claim 1 recites various limitations such as "a rear wall" in line 6, "the wall part" in line 10, "a closed door" in lines 19-20, "the door" in line 25, "the closed position" in lines 25-26, "mantle walls" in line 27, and "the car body" in lines 29-30. There were objections based upon insufficient antecedent basis for these limitations in the claim. In line 23, "activated mounted" was objected to for being awkward and unclear.

In response to these objections, claim 1 was amended either to provide proper antecedent basis or to cancel certain structural features, as follows:

In line 6, "a rear wall" was replaced with "the rear wall."

In line 10, "the wall part" was replaced with "a wall

part."

In lines 19-20, "a closed door" was replaced with "a door (10) when closed."

In line 25, "the door" does not need to be replaced because there is sufficient antecedent basis from "a door (10)" of claim 1 lines 19-20.

In line 25-26, "the closed position" has been replaced with "when closed."

In line 27, "mantle walls" has been replaced with "said at least one mantle wall."

In line 29-30, "the car body" has been deleted.

In line 23, "activated mounted" has been deleted.

Claim 2 recites the limitations "a mantle wall" in line 3, "the door" in line 6, "the opening edge" in line 7, "the outer edge region" in lines 7-8, and "the open position" in line 10. There were objections based upon insufficient antecedent basis for these limitations in the claim.

In response to these objections, claim 2 was amended either to provide proper antecedent basis or to cancel certain structural features, as follows:

In line 3, "a mantle wall" has been replaced with "said at least one mantle wall."

In line 6, "the door" does not need to be replaced because there is sufficient antecedent basis from "a door (10)" from claim 1 lines 19-20.

In line 7, "the opening edge" has been replaced with "an opening edge."

In lines 7-8, "the outer edge region" has been replaced with "an outer edge region."

In line 10, "the open position" has been replaced with "when opened."

Claim 3 recites the limitation "the door" in line 2. There was an objection based upon insufficient antecedent basis for this limitation in the claim.

In response to this objection, claim 3 was not amended to provide proper antecedent basis, as follows:

In line 2, "the door" does not need to be amended because there is sufficient antecedent basis from "a door (10)" from claim 1 lines 19-20.

Claim 4 recites the limitations "a brake" in line 6 and "the ... wall" in line 7. There were objections based upon insufficient antecedent basis for these limitations in the claim.

In response to these objections, claim 4 was amended to provide proper antecedent basis, as follows:

In line 6, "a brake" has been replaced with "the brake."

In line 7, "the... wall" has been replaced with "a wall."

Claim 5 recites the limitations "the door" in line 3, "said projection" in line 6, and "the mantle wall" in line 6. There were objections based upon insufficient antecedent basis for these limitations in the claim.

In response to these objections, claim 5 was amended to provide proper antecedent basis, as follows:

In line 3, "the door" does not need to be replaced because there is sufficient antecedent basis from "a door (10)" from claim 1 lines 19-20.

In line 6, "said projection" was replaced with "a projection."

In line 6, "the mantle wall" was replaced with "said at least one mantle wall."

Claim 7 recites the limitation "the mantle wall" in line 4. There was an objection based upon insufficient antecedent basis for this limitation in the claim.

In response to this objection, claim 7 was amended to provide proper antecedent basis, as follows:

In line 4, "the mantle wall" was replaced with "said at least one mantle wall."

Claim 8 recites the limitation "the mantle wall" in line 3. There was an objection based upon insufficient antecedent basis for this limitation in the claim.

In response to this objection, claim 8 was amended to provide proper antecedent basis, as follows:

In line 3, "the mantle wall" was replaced with "said at least one mantle wall."

Claim 10 recites the limitations "the pre-assembled locking

device" in line 3 and "the door" in line 4. There were objections based upon insufficient antecedent basis for these limitations in the claim.

In response to these objections, claim 10 was amended to provide proper antecedent basis, as follows:

In line 3, "the pre-assembled locking device" was replaced with "said at least one locking element (12) in said housing (11)."

In line 4, "the door" does not need to be replaced because there is sufficient antecedent basis from "a door (10)" from claim 1 lines 19-20.

Claim 12 recites the limitations "the door" in line 7, "the locked position" in line 7, and "it" in line 7. There were objections based upon insufficient antecedent basis for these limitations in the claim. In response to these objections, claim 12 was amended to provide proper antecedent basis, as follows:

In line 7, "the door" does not need to be replaced because there is sufficient antecedent basis from "a door (10)" from claim 1 lines 19-20.

In line 7, "the locked position" was replaced with "when locked."

In line 7, "it" has been replaced with "the door open."

Claim 13 recites the limitations "the door" in line 2 and "the locking element" in line 3. There were objections based upon insufficient antecedent basis for these limitations in the claim.

In response to these objections, claim 13 was not amended to provide proper antecedent basis, as follows:

In line 2, "the door" does not need to be replaced because there is sufficient antecedent basis from "a door (10)" from claim 1 lines 19-20.

In line 3, "the locking element" does not need to be replaced because there is sufficient antecedent basis from "the locking element (13)" of claim 1 line 19.

Claim 14 recites the limitations "the hook-shaped locking element" in line 2, "the locking pin or projection" in lines 3-4, "the door" in line 4, "the locking element" and "the door" in line 9, "the locking element" in line 12, and "the locked

position" in lines 12-13. There were objections based upon insufficient antecedent basis for these limitations in the claim.

In response to these objections, claim 14 was amended to provide proper antecedent basis, as follows:

In line 2, "the hook-shaped locking element" has been replaced with "the locking element."

In lines 3-4, "the locking pin or projection" has been replaced with "a locking pin or projection (14)."

In line 4, "the door" does not need to be replaced because there is sufficient antecedent basis from "a door (10)" from claim 1 lines 19-20.

In line 9, "the locking element" does not need to be replaced because there is sufficient antecedent basis from "the locking element (13)" of claim 1 line 19.

In line 9, "the door" does not need to be replaced because there is sufficient antecedent basis from "a door (10)" from claim 1 lines 19-20.

In line 12, "the locking element" does not need to be replaced because there is sufficient antecedent basis from "the locking element (13)" of claim 1 line 19.

In lines 12-13, "the locked position" has been replaced with "when locked."

Claim 15 recites the limitation "it" in line 2. There was an objection based upon insufficient antecedent basis for this limitation in the claim.

In response to this objection, claim 15 was amended to provide proper antecedent basis, as follows:

In line 2, "it" has been replaced with "the fuel inlet compartment."

Enclosed is a copy of a Search Report from the German Patent Office citing the prior art documents DE 33 01 072 and DE 100 26 841. These two prior art documents were previously cited in the IDS filed January 13, 2006, and a copy of each document was previously filed at that time.

In view of these amendments, it is firmly believed that the Drawings, the Specification and all the claims are now in complete compliance with all the requirements of 35 U.S.C. 112. Withdrawal of this ground of rejection is respectfully requested.

On Page 5 of the office Action, it was stated that claims 1 to 15 would be allowable if amended to overcome the rejection under 35 U.S.C. 112. Therefore, a prompt notification of allowability is respectfully requested.

Respectfully submitted,  
RALF ENGEL

By \_\_\_\_\_

  
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Enclosure: Copy of Search Report from German PTO

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: MAIL STOP After Final, COMMISSIONER FOR PATENTS, P.O. Box 1450, Alexandria, VA 22313-1450, on January 7, 2008.

  
Amy Klein

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# Deutsches Patent- und Markenamt

München, den 26.07.2004  
Telefon: (0 89) 2195 3206  
Anmelder/Inhaber: Dr. Schneider Engineering GmbH

Ihr Zeichen: G 3303

Ihr Antrag vom: 31.07.2003  
auf Recherche gemäß §7 Gebrauchsmustergesetz

Deutsches Patent- und Markenamt · 80297 München

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Bitte Aktenzeichen und Anmelder/Inhaber bei  
allen Eingaben und Zahlungen angeben

Aktenzeichen: 203 11 149.4

## Recherchebericht

### A. Klassifizierung des Anmeldegegenstandes nach der Internationalen Patentklassifikation (IPC)

IPC 07  
B 60 K 15/05

### B. Recherchierte Gebiete

Klasse/Gruppe	Prüfer	Patentabteilung
B 60 K 15/05	ROLF-PETER MILITZ	25
B 60 K 15/04	ROLF-PETER MILITZ	25

B 60 K 15/04

Die Recherche im Deutschen Patent- und Markenamt stützt sich auf die Patentliteratur folgender Länder und Organisationen:

Deutschland (DE,DD), Österreich, Schweiz, Frankreich, Großbritannien, USA, Japan (Abstracts), vormalige UdSSR (Abstracts), Europäisches Patentamt, WIPO.

Klassen/Gruppen, die in Abschnitt A aufgeführt sind, jedoch in Abschnitt B nicht ausdrücklich erwähnt werden, wurden entweder durch eine IPC-übergreifende Datenbankrecherche erfasst oder dienen lediglich der Dokumentation und Information. In Klassen/Gruppen, die in Abschnitt B aufgeführt sind, jedoch nicht in Abschnitt A genannt sind, wurde mit dem im Abschnitt C angegebenen Ergebnis recherchiert.

### C. Ergebnis der Druckschriftenermittlung

Kat.	Ermittelte Druckschriften	Erläuterungen	Betr. Ansprüche	IPC / Fundstellen
Y	DE 33 01 072 C3	Fig.2	1,3,5,7-11,14	
X	DE 100 26 841 A1	Fig.1	1,3,5,7-11,14	

### D. Folgende Literatur und Zitate liegen dem Deutschen Patent- und Markenamt nicht vor:

Die Recherche kann sich auf den vom Anmelder/von der Anmelderin selbstgenannten Stand der Technik nicht erstrecken, der dem Deutschen Patent- und Markenamt nicht vorliegt. Wenn beabsichtigt ist, einen Prüfungsantrag nach § 44 PatG zu stellen, wird der Anmelder/die Anmelderin aufgefordert, diese Literatur in Kopie zur Prüfungsakte zu reichen.

Dokumenteneinannahme und Nachbriefkästen Zweibrückenstraße 12	Hauptgebäude: Zweibrückenstraße 12 Zweibrückenstraße 5-7 (Breiterhof) Markenabstellungen: Cincinnatistr. 84 81534 München	Haussadresse (für Fracht): Deutsches Patent- und Markenamt Zweibrückenstraße 12 80331 München	Telefon: (0 89) 2195-0 Telex: (0 89) 2195-2221 Internet: <a href="http://www.dpma.de">http://www.dpma.de</a>	Zahlungsempfänger: Bundeskasse Weiden BBK München Kto.Nr.: 700 010 54 BLZ: 700 000 00 BIC (SWIFT-Code): MARKDEF1700 IBAN: DE84 7000 0000 0070 0010 5
6-Bahnanschluss im Münchner Verkehrs- u. → Teilverbund (MVV):	Zweibrückenstr. 12 (Hauptgebäude): Zweibrückenstr. 5-7 (Breiterhof): S1 - S8 Haltestelle Fasanengarten			

E. Datum des Abschlusses der Recherche 19.07.2004

**Vollständigkeit der Ermittlung:**

Eine Gewähr für die Vollständigkeit der Ermittlung der einschlägigen Druckschriften und für die Richtigkeit der angegebenen Kategorien wird nicht geleistet (§43 Abs. 7 Satz 1 Patentgesetz bzw. §7 Abs. 2 Gebrauchsmustergesetz i.V.m. §43 Abs. 7 Satz 1 Patentgesetz).

Absendedatum des Rechercheberichtes

Anlagen: 2

Patentabteilung 1.11  
Rechercheleitstelle

